

**REDACTED VERSION
PURSUANT TO 35-A M.R.S.A. § 704(5)**

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2000-412

May 31, 2000

APPEAL OF CONSUMER
ASSISTANCE DIVISION DECISION
#1999-6531 REGARDING EASTERN
MAINE ELECTRIC COOPERATIVE, INC.

ORDER

WELCH, Chairman; NUGENT, and DIAMOND Commissioners

I. SUMMARY

In this Order, we uphold the April 27, 2000, decision of the Consumer Assistance Division (CAD) finding that Eastern Maine Electric Cooperative (EMEC) properly investigated and responded to **[customers]** high bill dispute.

II. BACKGROUND

The **[customers]** dispute a bill they received from EMEC in April of 1997 for \$2,123.25, for 16,534 kWhs of usage. As explained in CAD's decision, the high amount was recorded after EMEC read the **[customers]** meter in March of 1997. From February 1996 through March 1997, the **[customers]** had read their own meter and sent the results to EMEC. The meter was apparently misread or misreported each month so that when EMEC's representative read the meter, it showed a large amount of unpaid usage.

In May 1997, EMEC tested the meter at the **[customers]** request. The **[customers]** waived the right to be present at the test. The meter tested within allowed parameters. Therefore, CAD found that the **[customers]** were responsible for the entire amount registered on the meter, including the unpaid \$2,123.25.

On May 10, 2000, **[customer]** appealed CAD's decision to the Commission. She claims that it would not be possible to use 16,534 kWhs in one month.

III. DECISION

As explained in CAD's decision, the high amount of usage became apparent when the meter was read by EMEC. The **[customers]** reading of their own meter for

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12 months was in error. The bill is not for one month; it reflects apparent underreadings for an entire year.

We agree with CAD that EMEC acted properly in investigating the **[customers]** complaint. The meter was measuring accurately when tested. We understand that for at least some part of the time in question the **[customers]** had a heated swimming pool. This could account for the high level of usage. Absent evidence of a defective meter, customers are responsible for the costs of electricity once it passes through the meter. Therefore we will not investigate this matter further, and we dismiss the appeal.

Dated at Augusta, Maine, this 31st day of May, 2000.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

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NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.